

Law Offices of
MATHENY SEARS LINKERT & JAIME LLP
MATTHEW C. JAIME (SBN 140340)
SARAH M. WOOLSTON (SBN 320510)
3638 American River Drive
Sacramento, California 95864
Telephone: (916) 978-3434
Facsimile: (916) 978-3430
mjaime@mathenysears.com
swoolston@mathenysears.com

Attorneys for Defendant, COSTCO WHOLESALE
CORPORATION

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SONDRA SMITH,

Plaintiff,

v.

COSTCO WHOLESALE
CORPORATION and DOES 1 to 25,
inclusive,
Defendant.

Case No. 2:20-cv-01861-JAM-AC

**AMENDED STIPULATION FOR
INDEPENDENT MEDICAL
EXAMINATION PURSUANT TO RULE 35
OF THE FEDERAL RULES OF CIVIL
PROCEDURE**

Complaint filed: May 6, 2020

IT IS HEREBY STIPULATED by and between Plaintiff, SONDRA SMITH (“Plaintiff”), and Defendant, COSTCO WHOLESALE CORPORATION (“Defendant”), by and through their counsel of record, that Plaintiff will undergo an Independent Medical Examination pursuant to Rule 35 of the Federal Rules of Civil Procedure. Said examination will be conducted by Orthopedic Surgeon, Patrick McGahan, M.D., on **July 14, 2021 at 9:30 a.m. at 3941 J Street, Suite 250, Sacramento, CA.**

Defendant requests that Plaintiff submit to a physical examination by Dr. McGahan to determine the extent and nature of any injuries, including, but not limited to, Plaintiff’s reported injury to her left leg and knee.

1 The nature, scope, conditions, and manner of examination are as follows:

2 1. The examining physician will ask, and plaintiff shall answer, questions relating to
3 the nature and extent of the injuries alleged to have been sustained in the incident that is the subject
4 matter of this action; present symptoms and conditions; medical history, including the manner in
5 which the injury occurred; prior injuries and diseases; and Plaintiff's occupational and recreational
6 history.

7 2. The examining physician may use, and Plaintiff shall cooperate in the use of,
8 accepted diagnostic instruments, tests, manipulations, and techniques, including the making of x-
9 ray pictures, but no procedure causing undue discomfort or endangering Plaintiff's life shall be
10 used except by order of the court, granted with notice, on a further showing of good cause, therefore.

11 3. Failure to appear at the examination, or to cancel within five (5) business days of
12 the examination, will result in a cancellation fee of \$800 of which Plaintiff will be held responsible
13 to pay.

14 4. It is further stipulated to that Defendant will provide to Plaintiff a copy of a detailed
15 written report setting out the history, examinations, findings, including the results of all tests made,
16 diagnoses, prognoses, and conclusions of the examiner, Patrick McGahan, M.D. within 15 days
17 upon Defendant's receipt of same.

18 Dated: May 3, 2021

MATHENY SEARS LINKERT & JAIME LLP

21 By: /s/ Matthew C. Jaime

MATTHEW C. JAIME,
Attorney for Defendant COSTCO
WHOLESALE CORPORATION

24 Dated: May 5, 2021

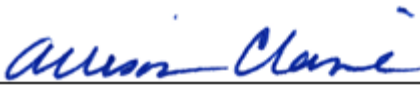
ARNOLD LAW FIRM

26 By: /s/ Andrew Minney

ANDREW MINNEY
Attorney for Plaintiff, SONDRAS SMITH

1 IT IS SO ORDERED:

2 DATED: May 18, 2021.

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5 ALLISON CLAIRE
6 UNITED STATES MAGISTRATE JUDGE
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